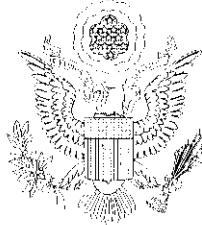


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RANDOLPH F. TREECE
United States Magistrate Judge

ROBYN HOFFMAN, ESQ.
Law Clerk



James T. Foley Courthouse
445 Broadway, Room 407
Albany, New York 12207
(518) 257-1840
Fax (518) 257-1841

January 25, 2005

Bjorn J. Holubar, Esq.
Office of Bjorn Holubar
770 Lexington Avenue—7th Floor
New York, New York 10021

Re: *Gilfus v. Vargason*, 9: 04-CV-0188 (DNH/RFT) (lead case)
04-CV-0189 (member)
04-CV-0190 (member)

Dear Mr. Holubar:

The Court has received correspondence jointly signed by Petitioners Patricia Gilfus, Richard Gilfus, and John Gilfus, regarding your representation of them in the above and other related actions. I have attached this correspondence for your review. The Court is also aware that Magistrate Judge David Peebles, in related action 5:03-CV-578 (HGM/DEP), recently granted your motion to be relieved as counsel of record for that particular action.

In light of the correspondence received from Petitioners, please immediately advise Judge Treece in writing of your intentions with regard to your continued representation of Petitioners in the three *habeas corpus* Petitions currently awaiting Judge Treece's review. Please forward your letter directly to Judge Treece's Chambers. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robyn Hoffman", is written over a horizontal line.

Robyn Hoffman, Esq.
Law Clerk to the
Honorable Randolph F. Treece

encl.

cc w/o encl. Patricia A. Gilfus; Richard B. Gilfus, Jr.; John S. Gilfus
Gilfus Family Farm
P.O. Box 53
1996 Sarr Road
Port Byron, New York 13140

Christopher Valdina, ADA
Cayuga County District Attorney Office
Cayuga County Court House Annex
154-157 Genesee Street
Auburn, New York 13021